

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN UTESCH, Individually and on Behalf
of All Others Similarly Situated,

Plaintiff(s),

v.

LANNETT COMPANY, INC., ARTHUR P.
BEDROSIAN, and MARTIN P. GALVAN,

Defendants.

Civil Action No. 2:16-cv-05932-WB

ORAL ARGUMENT REQUESTED

Judge Wendy Beetlestone

**MOTION OF DEFENDANTS LANNETT COMPANY, INC.,
ARTHUR P. BEDROSIAN, AND MARTIN P. GALVAN TO DISMISS PLAINTIFFS'
SECOND AMENDED CONSOLIDATED SECURITIES CLASS ACTION COMPLAINT**

Defendants Lannett Company, Inc., Arthur P. Bedrosian, and Martin P. Galvan, by and through their undersigned attorneys and in accordance with Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, move to dismiss Plaintiffs' Second Amended Consolidated Securities Class Action Complaint for failure to state a claim upon which relief can be granted. In support of this motion, Defendants rely upon the attached memorandum of law and the exhibit thereto.

Respectfully submitted,

FOX ROTHSCHILD LLP

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